

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

JON C. STEHR,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CIV-10-332-D
	)	
MICHAEL J. ASTRUE, Commissioner,	)	
Social Security Administration,	)	
	)	
Defendant.	)	

**ORDER**

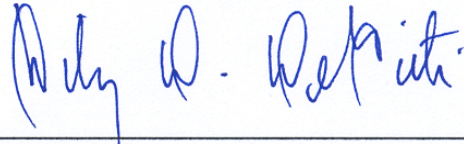
Plaintiff brought this action pursuant to 42 U.S.C. §405(g) for review of the Commissioner of Social Security Administration's decision denying Plaintiff's application for disability and supplemental security income benefits. The matter was referred to United States Magistrate Judge Bana Roberts for initial proceedings in accordance with 28 U.S.C. §636 (b)(1)(B). The parties fully briefed their respective positions and, on March 24, 2011, Judge Roberts filed a Report and Recommendation [Doc. No. 22] in which she recommended that the Commissioner's decision be affirmed.

In the Report and Recommendation, Judge Roberts advised the parties of their right to object to the findings and recommendations set forth therein, and she scheduled an April 13, 2011 deadline for filing objections. The Magistrate Judge also expressly cautioned the parties that a failure to object to the Report and Recommendation would constitute a waiver of the right to appeal the findings and conclusions contained therein. The deadline for filing objections has expired, and neither party has filed objections or sought an extension of time in which to do so.

Accordingly, the Report and Recommendation [Doc. No. 22] is adopted as though fully set

forth herein. For the reasons set forth in the Report and Recommendation, the decision of the Commissioner denying Plaintiff's application for benefits is AFFIRMED.

IT IS SO ORDERED this 10<sup>th</sup> day of May, 2011.



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TIMOTHY D. DEGIUSTI  
UNITED STATES DISTRICT JUDGE